

Central Intelligence Agency



Washington, D.C. 20505

OIS 85-342

11 JUL 85

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Dr. Frank G. Burke
Acting Archivist of the United States
National Archives and Records Service
Eighth Street & Pennsylvania Ave., N.W.
Washington, D.C. 20408

Dear Dr. Burke:

Thank you for your letter of 25 June concerning the need to review for possible declassification those records of the President's Commission on the Assassination of President Kennedy that remain classified. Members of my staff already have been in contact with Mr. Clarence F. Lyons, Jr. and Mr. Marion Johnson of your staff to make the necessary arrangements. I have selected three experienced officers to make this second review and they will arrange for a meeting at a time convenient to your staff.

STAT

If you have any suggestions or need additional information, please contact [redacted] Director of Information Services, on [redacted]

STAT

Sincerely,

/s/ Harry E. Fitzwater

Harry E. Fitzwater
Deputy Director
for
Administration

DA/OIS/CRD [redacted] (05 July 85)
Retyped: [redacted] 09 July 85)

STAT

STAT

Distribution:

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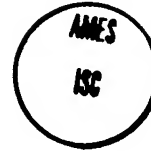
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Washington, DC 20408

REFERENCE

JUN 25 1985

LOGGED



27 JUN 1985

Honorable William J. Casey
 Director of Central Intelligence
 Central Intelligence Agency
 Washington, DC 20505

Dear Mr. Casey:

The President's Commission on the Assassination of President Kennedy transferred its records to the National Archives in November 1964 to be "permanently preserved under the rules and regulations of the National Archives and applicable Federal law" (Report of the Commission, p. XV). The records included some documents which are withheld from disclosure by specific statutes, security classified records, investigatory files compiled for law enforcement purposes, and medical and personnel records. It was apparent that the records of the Commission would have to be reviewed on a document-by-document basis in order to identify the relatively few documents of this nature that could not immediately be made available for research.

Reviews of the records have been conducted in accordance with "Guidelines for Review of Materials Submitted to the President's Commission on the Assassination of President Kennedy," which were prepared by the Department of Justice in consultation with the agencies which furnished records to the Commission (copy enclosed). Under these guidelines (page 2) it is the responsibility of the Archivist of the United States to arrange for successive reviews of the records of the Commission that are withheld from research. As it is now ten years since the review of the records of the Commission in 1975, it is time for the documents that are withheld from research to be reviewed again as indicated in the last paragraph of the guidelines. The National Archives will be pleased to show the documents withheld from research at the request of your Agency to any members of your staff who may be selected to review them.

These records, of course, should be reviewed under the terms of the Freedom of Information Act (5 U.S.C. 552) as amended, and one or more of the specific exemptions listed in 5 U.S.C. 552 (b)

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should be cited as the basis for withholding any documents that you request the National Archives to withhold from research. Security classified documents should also be reviewed under the terms of Executive Order 12356 and one of the specific bases for classification of documents listed in the order (Section 1.3), as well as the level of classification desired, should be cited as the basis for continued classification of any documents you do not feel should be declassified.

The following staff members of the National Archives may be called for any additional information that may be needed: Mr. Clarence F. Lyons, Jr., Chief, Judicial, Fiscal, and Social Branch, or Mr. Marion M. Johnson, on 523-3089.

Sincerely,

A handwritten signature in dark ink, appearing to read "Frank G. Burke". The signature is fluid and cursive, with the first name "Frank" being more prominent.

FRANK G. BURKE
Acting Archivist
of the United States
(202) 523-3134

Enclosure

Note: Revised Guidelines are set forth below. No language has been deleted. Additional language is underscored.

GUIDELINES FOR REVIEW OF MATERIALS SUBMITTED TO
THE PRESIDENT'S COMMISSION ON THE ASSASSINATION OF
PRESIDENT KENNEDY
(as reviewed and revised in light of 1974 Amendments to
Freedom of Information Act)

1. Statutory requirements prohibiting disclosure should be observed.
2. Security classifications should be respected, but the agency responsible for the classification should carefully re-evaluate the contents of each classified document and determine whether the classification can, consistently with the national security, be eliminated or downgraded. See Attorney General's Memorandum on 1974 Amendments, pp. 1-4.
3. Unclassified material which has not already been disclosed in another form should be made available to the public on a regular basis or upon request under the Freedom of Information Act unless such material is exempt under the Act and its disclosure --
 - (A) Would be detrimental to the administration and enforcement of the laws and regulations of the United States and its agencies;

- (B) Might reveal the identity of confidential sources of information and impede or jeopardize future investigations by precluding or limiting the use of the same or similar sources hereafter;
- (C) Would be a source of embarrassment to innocent persons, who are the subject, source, or apparent source of the material in question, because it contains gossip and rumor or details of a personal nature having no significant connection with the assassination of the President.

Whenever one of the above reasons for nondisclosure may apply, your department should, in determining whether or not to authorize disclosure, weigh that reason against the overriding policy of the Executive Branch favoring the fullest possible disclosure.

Unless sooner released to the public, classified and unclassified material which is not now made available to the public shall, as a minimum, be reviewed by the agency concerned five years and ten years after the initial examination has been completed, and in addition must be

reviewed whenever necessary to the prompt and proper processing of a Freedom of Information request. The criteria applied in the initial examination, outlined above, should be applied to determine whether changed circumstances will permit further disclosure. Similar reviews should be undertaken at ten-year intervals until all materials are opened for legitimate research purposes. The Archivist of the United States will arrange for such review at the appropriate time. Whenever possible provision should be made for the automatic declassification of classified material which cannot be declassified at this time.

ROUTING AND TRANSMITTAL SLIP		Date
		10 July 85
TO: (Name, office symbol, room number, building, Agency/Post)		Initials Date
1. EXO/DDA		<i>[Signature]</i> 1805 10 July
2. ADDA		<i>[Signature]</i> 11 JUL 1985
3. DDA		<i>[Signature]</i>
4.		
5. DDA REGISTRY		
Action	File	Note and Return
Approval	For Clearance	Per Conversation
As Requested	For Correction	Prepare Reply
Circulate	For Your Information	See Me
Comment	Investigate	Signature
Coordination	Justify	

REMARKS

D/OIS to get DDA advised of progress of attached.

DO NOT use this form as a RECORD of approvals, concurrences, disposals, clearances, and similar actions

FROM: (Name, org. symbol, Agency/Post)	Room No.—Bldg.
	Phone No.

5041-102

OPTIONAL FORM 41 (Rev. 7-76)
Prescribed by GSA
FPMR (41 CFR) 101-11.206

85-2278/1

ROUTING AND RECORD SHEET					
SUBJECT: (Optional) Letter to Dr. Frank G. Burke, NARS					
FROM: [Redacted] Director of Information Services 1205 Ames			EXTENSION	NO. OIS 85-342	STAT
				DATE 5 July 1985	STAT
TO: (Officer designation, room number, and building)		DATE		OFFICER'S INITIALS	COMMENTS (Number each comment to show from whom to whom. Draw a line across column after each comment.)
		RECEIVED	FORWARDED		
1. C/CRD/OIS/DA 322 Ames Building		5 JUL 1985 9 July 85		KR	Harry: This approach was suggested by [Redacted]. He, [Redacted] + a senior [Redacted] D/O officer will conduct the review.
2.					STAT
3. DD/OIS 1206 Ames Building		9 JUL 1985		B	STAT
4.					
5. D/OIS 1206 Ames Building		9 JUL 1985		B	STAT
6.					
7. EO/DDA 7D24 Hqs. Building		10 July		Ear	
8.					
9. ADDA 7D24 Hqs. Building		11 JUL 1985		gm	
10.					
11. DDA 7D24 Hqs. Building					
12.					
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09 JUL 1985